## Senate File 163 - Introduced

SENATE FILE 163 BY McCOY

## A BILL FOR

- 1 An Act relating to the commissioning and appointment of a
- 2 hospital peace officer.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. Section 80B.12, Code 2015, is amended to read as 2 follows:
- 3 80B.12 Agreements with other agencies.
- 4 The director with the approval of the council may enter into
- 5 agreements with other public and private agencies, colleges and
- 6 universities, and hospitals to carry out the intent of this 7 chapter.
- 8 Sec. 2. NEW SECTION. 135B.35 Hospital peace officers.
- 9 1. The governing board of a hospital may authorize a
- 10 hospital under the control of the board to commission one
- ll or more of its employees as peace officers. A hospital
- 12 peace officer shall have the powers and duties described in
- 13 subsection 2, if the officer has received adequate training and
- 14 certification at the Iowa law enforcement academy or at a law
- 15 enforcement training school approved by the academy.
- 16 2. a. A hospital peace officer shall have the following 17 powers and duties:
- 18 (1) General police powers, including the power to arrest,
- 19 without a warrant, all persons who commit any public offense,
- 20 including a violation of any local ordinance, within view of
- 21 the officer.
- 22 (2) The same common law and statutory powers, privileges,
- 23 and immunities as a peace officer, including serving as a civil
- 24 process server, to the extent authorized by the governing board
- 25 of the hospital.
- 26 (3) The duty to enforce and to assist the officials of the
- 27 hospital in the enforcement of the rules and regulations of the
- 28 hospital.
- 29 (4) The duty to cooperate with and assist other law
- 30 enforcement agencies and other peace officers and prosecuting
- 31 attorneys.
- 32 b. The governing board of the hospital may expressly
- 33 prohibit a hospital peace officer from exercising any powers or
- 34 duties otherwise granted a peace officer by law.
- 35 3. If the governing board of a hospital commissions and

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- 1 appoints a hospital peace officer, the board may do all of the
- 2 following:
- 3 a. Prescribe the duties and direct the conduct of the 4 hospital peace officer.
- 5 b. Prescribe distinctive uniforms for the hospital peace 6 officer.
- 7 c. Provide emergency vehicles for the hospital peace 8 officer's use.
- 9 4. A hospital peace officer appointed by the governing10 board of a hospital may exercise the powers granted under this
- 11 section only upon the property owned, leased, or occupied
- 12 by the hospital, including the streets passing through and
- 13 adjacent to the hospital property. A hospital peace officer
- 14 may exercise the powers granted under this section over
- 15 additional property in another jurisdiction as established by
- 16 agreement with the appropriate law enforcement agency where the
- 17 property is located.
- 18 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 21 This bill relates to the commissioning and appointment of a
- 22 hospital peace officer.
- 23 Under the bill, the governing board of a hospital, as defined
- 24 in Code section 135B.1, may authorize a hospital under the
- 25 control of the board to commission one or more of its employees
- 26 as peace officers.
- 27 The bill provides that if a hospital peace officer has
- 28 received adequate training and certification at the Iowa law
- 29 enforcement academy or at a law enforcement training school
- 30 approved by the academy, the officer may have the same powers
- 31 as a regular peace officer, except as otherwise provided in the 32 bill.
- 33 A hospital peace officer shall have the following powers
- 34 and duties under the bill: general police powers, including
- 35 the power to arrest, without a warrant, all persons who commit

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- 1 any offense within view of the officer; the same common law
- 2 and statutory powers, privileges, and immunities as a peace
- 3 officer, including serving as a civil process server, to the
- 4 extent authorized by the governing board of the hospital; the
- 5 duty to enforce and to assist the officials of the hospital in
- 6 the enforcement of the rules and regulations of the hospital;
- 7 and the duty to assist and cooperate with other law enforcement
- 8 agencies, peace officers, and prosecutors.
- 9 The governing board of the hospital may expressly prohibit
- 10 a hospital peace officer from exercising any powers granted a
- 11 hospital peace officer under the bill.
- 12 If the governing board of a hospital appoints a hospital
- 13 peace officer, the board may prescribe duties and direct the
- 14 conduct of the hospital peace officer, prescribe distinctive
- 15 uniforms, and provide emergency vehicles.
- 16 A hospital peace officer appointed by the governing board of
- 17 a hospital may exercise the powers granted under the bill only
- 18 upon the property owned, leased, or occupied by the hospital,
- 19 including the streets passing through and adjacent to the
- 20 hospital property. A hospital peace officer's jurisdiction
- 21 over additional property may be established by agreement with
- 22 the appropriate law enforcement agency where the property is
- 23 located.